

3. Records of the New Hampshire Division of Children, Youth, and Families (“DCYF”) are generally made confidential by RSA 170-G:8-a. However, on or about February 25, 2022, the New Hampshire Governor’s Office released a document titled Comprehensive Update on the Ongoing Case Involving Harmony Montgomery and Recommended Systematic Improvements (<https://www.governor.nh.gov/sites/g/files/ehbemt336/files/documents/harmony->

montgomery-update-recommendations.pdf; last accessed July 11, 2022). This document made public some information from DCYF records that would likely otherwise have been confidential.

4. Based on the State’s review of information from DCYF records that has been made public, only one portion of the defendant’s Motion to Seal/Objection to Joinder would likely still qualify as a confidential DCYF record. Specifically, that would be the words at the end of the second line of paragraph 7, after “2019” and before “alleged,” exclusive. In other words, with the confidential information redacted that portion of paragraph 7 would read, “Rather, . . . 2019, XXXXXXXXXXXXXXXXXXXXXXXX alleged”

WHEREFORE, the State of New Hampshire respectfully requests that this Honorable Court:

(A) Deny the defendant’s Motion to Seal: Motion to Sever/Objection to Joinder except as to the above-referenced portion of paragraph 7 of the Motion to Sever/Objection to Joinder; and

(B) Grant such further relief as may be deemed just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

John M. Formella
Attorney General

Date: July 11, 2022

/s/ Jesse O’Neill
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CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing was sent to counsel for the defendant via the electronic case filing system.

/s/ Jesse O'Neill

Jesse O'Neill